

## **REMARKS**

### **A. REJECTION UNDER § 112, FIRST PARAGRAPH:**

Claims 18, 19 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner points out in claim 18, line 3, it is not clear if the "a mechanical component" is the same as that mentioned in line 1. The Examiner suggests that the "a" be changed to --the--. The Examiner also notes that in claim 21, the intended scope of the phrase "said at least one contact end includes one curved section of the CVT chain is extending in the moving direction" is unclear and confusing because it is not clear if the curved section of the chain or the curved section of the mechanical component of the curve section of the chain that is extending in the moving direction. In addition, the Examiner states it is not clear as to what the moving direction is referring to and that "the moving direction" lacks antecedent basis.

### **B. APPLICANTS' RESPONSE TO § 112 REJECTION**

Applicants respectfully point out that new claim 47 has addressed the Examiner's reasons for the § 112 rejection. The Examiner's suggestion of replacing "a" with --the-- in claim 18 has been carried out in new claim 47. Further, claim 47 clarifies that it is the curved section of the mechanical component and not the curved section of the chain that is extending in a

moving direction. The replacement of "the" with --a-- when referring to moving direction removes the addresses the rejection for no antecedent basis.

The term "moving direction" is defined with respect to the "axial direction" and "vertical direction" in the specification at page 1 in the second paragraph of "BACKGROUND OF THE INVENTION". "A term "axial direction" refers to a direction from one end to the other end of the mechanical component. **A term "moving direction" refers to a direction parallel to the direction of travel of chains on a CVT and perpendicular to the axial direction.** A term "vertical direction" refers to a direction perpendicular to the axial and moving directions." [emphasis added] The term "moving direction" is further defined in Figure 2 and on page 5 in the first paragraph of the "DESCRIPTION OF THE EMBODIMENTS" as: "In FIG. 2, the axial direction is indicated with a line A-A, **the moving direction is indicated with a line B-B** and the vertical direction is indicated with a line C-C." [emphasis added]

In view of the cancellation of claims 18, and 21, and new claim 47, withdrawal of the rejection is respectfully requested.

### **C. § 102(b) REJECTION**

Claims 18, 19 and 21 have been rejected under 35 U.S.C. 102(b) as anticipated by Linnenbrugger, et al.(6,293,887). According to the Examiner, Linnenbrugger, et al. discloses a mechanical component (33', 121, 131) for a CVT chain, the mechanical component comprising a section having at least one pulley sheave contact end comprising a curve surface (R2, R3, R4; see figs. 89).

The Examiner notes that in claim 19 the component is a pin and that the curve of claim 21 extends in the moving direction.

#### **D. APPLICANTS' RESPONSE TO § 102(b) REJECTION**

In view of the cancellation of claims 18 and 21 and new claim 47, it is believed the rejection is overcome.

The mechanical component of 6,293,887 has at least two radii of curvature with at least one radius extending in the moving direction and at least one radius extending in the vertical direction. The result is a very different contact surface than the contact surface of the present invention.

The mechanical component surface of the '887 patent presents a spherical and/or a quasi-spherical contact surface for engagement with the pulleys or sheaves of the transmission. (6,293,887; col.: 3, lines 16-17). The mechanical component of the current invention does not present a spherical or quasi-spherical surface to the pulley sheaves. The '887 patent presents almost a point contact with the pulleys. The present invention presents a contact surface without curvature extending in a vertical direction perpendicular to the moving direction.

It is the present inventive curved surface extending in a moving direction that it is believed allows one or more oil pools to form between the contact end of the mechanical component and the pulley surface and such pools it is believed function as a sort of mechanical cushion which effectively alleviates the impulsive contact at entry of the mechanical component into the pulley. [page 2 second paragraph of 'SUMMARY OF THE INVENTION'] The very nature of the '887 patent spherical mechanical component would prevent oil pooling.

#### **E. AMENDMENT DISCUSSION**

The Applicants respectfully request that the Examiner enter the aforementioned amendments for consideration. With this amendment, claims 47 and 19 are pending in the application with claim 47 being independent. Claim 47 is new. Claim 19 is amended. Support for claims 47 and 19 are found in the specification pages 2-12, Figures 1-19 and original claims 1-17 as filed.

No new mater has been added.

The claims currently presented are proper and definite.

Accordingly, it is submitted that the claims of the present application are in allowable form and an allowance of the present application is respectfully solicited.

### **Correspondence and Fees**

Please charge the fee for a One Month Extension of Time of Sixty Dollars (\$60.00) to Deposit Account No. 03-3839. No additional fees are believed to be necessitated by the instant response. However, should this be in error, authorization is hereby given to charge Deposit Account No. 03-3839 for any underpayment, or to credit any overpayments.

Please address all correspondence to the correspondent address for **Customer No. 26345 of Intellectual Docket Administrator, Gibbons, P.C.**, One Gateway Center, Newark, NJ 07102. Telephone calls should be made to Abhik A. Huq at (215) 446-6268.

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